

FOR MYSORE STATE

1-53.

M
FINANCE

(195) Department.

Ms. SERIES.

G.O. No. 1203

Dated 4th July 1955.

CLOSED

wh
SUPERINTENDENT

[Despatch Abstract.]

Pension - Injury - Siva Rao, Sri P.R. - Demonstrator, Karnataka Polytechnic
Mangalore - Sanctioned.

11 P 16. 2496

DEPARTMENT OF INDUSTRIES AND COMMERCE

From
The Director of Industries and
Commerce, Chepauk, Madras.5.

To
The Secretary to Government,
Department of Industries, Labour
and Co-operation, Madras.

Thro' The Accountant General

No. 1938-C4/53 dated 15th March 1954.

Yoda

Sir,

Sub:-Establishment-Karnataka Polytechnic-
Mangalore -Siva Rao Sri.P.R.Demonstrator-
Application for extra-ordinary pension
or gratuity-regarding.

Ref:-

With reference to Rule 13(4) of the Extra-ordinary
Pension Rules, Madras, I submit an application for injury pen-
sion or gratuity in form A received from Sri.P.R.Siva Rao,
Demonstrator, Karnataka Polytechnic, Mangalore and the Medical
report in Form C. The following papers showing the circumstances
in which the injury was received are also enclosed:-

1. Petition dated 21-2-53 from Sri P.R. Siva Rao,
with the Principal's endt. No. 526-A/53 dated 3-4-53 and remarks
of the Head of Mechanical Engineering section dated 30-3-53.

2. Copy of this office memo No. 1938-C4/53 dated 9-4-53.

3. Letter from the Principal, Karnataka Polytechnic,
Mangalore No. 590-A/53 dated 19-4-53.

4. Copy of this office memo No. 1938-CB.4/53 dated
22-4-53 with endt to the Principal.

5. Letter dated 29-4-53 from Sri P.R. Siva Rao.

6. Letter from the Principal, Karnataka Polytechnic,
Mangalore, No. A. 590/53 dated 1-5-53.

7. Copy of this office memo No. 1938-C4/53 dated 28-5-53.

8. Letter from the Principal, Karnataka Polytechnic,
Mangalore, No. A. 590/53 dated 2-6-53.

3 It will be seen from the report of enquiry submitted
by the Principal with his letter sixth cited above, that the
applicant sustained injury to one of his eyes grinding a tool
in the workshop of the Polytechnic on 21-2-52 though the incident
was not reported to the Principal or the Section Head on the date
of occurrence. On the next day, i.e., on 22-2-52 he applied to
the Principal for 15 days leave stating that he had an injury
in his eye while grinding a tool in the machine shop and that the
doctor who attended on him advised him to take complete rest.
The leave was duly granted and it was extended upto 23-3-52. He
rejoined duty on 24-3-52 producing a fitness certificate. Only
on 21-2-53, i.e., exactly after one year from the date of injury
he submitted a petition claiming compensation commensurate with
the gravity of the injury. On receipt of the report of enquiry
mentioned above and with reference to Rule 6(1) of the Extra-
ordinary Pension Rules, Madras, I requested the Director of
Medical Services to constitute a Medical Board for the purpose
of examining the applicant and reporting on the state of the
injury sustained by the applicant-vide this office letter No.

p. t. o.

1938-04/53 dated 10-6-53 (copy enclosed) The medical examination was held at Madras on 27-7-53 and the report was sent on 30-7-53. Though the applicant was discharged from the Ophthalmic Hospital Madras on 4-8-53 he was advised to take rest for two ~~weeks~~ weeks was again admitted as out patient on 13-8-53 and was finally discharged from the Ophthalmic Hospital, Madras, only on 14-12-53. He rejoined duty on 17-12-53. The applicant was in receipt of a pay of Rs.90/- per mensem on the date of injury.

Having regard to the report of the Medical Board which examined the applicant that on account of the injury sustained while grinding tool, he is practically blind in right eye, with possibility of Sympathetic Ophthalmia occurring in the left eye and as the injury is classed by the Medical Board as loss of an eye, I consider that the case falls under Rule 9(1)(a) and (b)(ii) of the Extraordinary Pension Rules, Madras, according to which the applicant shall be eligible for a gratuity of Rs.360/- (4 months pay) and a permanent monthly pension not exceeding Rs.30/- and not less than Rs.15/- from 21-2-53. Rule 4 of the Extra-ordinary Pension Rules, however, stipulates that in making an award under these rules, the State Government may take into consideration the degree of default ~~of~~ or the contributory negligence on the part of the Government servant who sustains an injury. In this case, the Principal has reported in his endt. dated 2-4-53 that "the applicant ought to have taken all precautionary measures while grinding, since he could have conveniently made use of goggles which he failed to do". In view of this negligence on the part of the applicant, I suggest that the monthly pension payable from 21-2-53 may be limited to the minimum admissible under Rule 9(ii) referred to above viz. Rs.15/- per mensem but the gratuity of Rs.360/- (four months' pay) may be granted in full, as he was compelled to undergo a prolonged treatment.

I request favour of early orders.

Krn.18-3. Twelve Sheets.
Encl:- Service registers.

2/85

Att. the 18/5/54
for Director of Industries and Commerce.

(122)

- 66 -

Recd from R. Sub
9/4/12

S. Y. 321
M. 35.

PENSION REPORT MEMO.

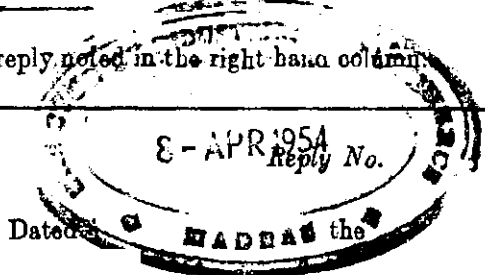
To be returned in original within seven days with the reply noted in the right hand column

Office of the Accountant-General, Madras.

PV No. EFP-16-2596-7 dated Madras, the 5 - 4 - 1954

Enclosures (in words)

To the Director of Industries & Commerce, Madras.



To the Accountant-General, Fort St. George, Madras.

THE Pension application for injury pension of Sri P.R. Shivakumar, Demonstrator, Karnataka Polytechnic, Bangalore

Age: Your letter No 1938-C4/53 dated 15-3-54.

is returned for the reasons stated in below. I shall be obliged if you will kindly remove these defects by supplying the omission indicated, or by furnishing the papers or information called for within seven days; otherwise a fortnightly report regarding the stage at which the matter stands may be sent.

(42) The application for injury pension may be sent in duplicate.

(43) The applicant's photo and specimen signatures may be furnished duly attested.

(44) It may please be stated whether any recoveries are due from the applicant.

(45) It appears that the injury was not caused as a result of special risk of office. As such it cannot be brought under class A of Rule 8 of the Extraordinary Pension Madras, Rules. The claim for gratuity under Rule 9(1)(a) & (b)(ii) is therefore not in order. The classification of the injury under class B or C of Rule 8 may be considered and the claim for gratuity and pension revised accordingly.

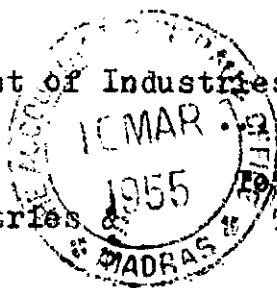
Assistant Accountant General Assistant Accounts Officer.

- Age:—When the year of birth is known and not the month and date thereof, 1st July of the year should be assumed; when the month is known and not the precise date, the 16th of the month should be assumed. [Vide Rule 6 of Subsidiary Rules under F. R. 74 (a) (IV) of annexure II, Part III and Para 1 under Article 358 in the Madras Supplement to C. S. R.]
- Age as given in service book, if subsequently amended, should be supported by an order of Government or other competent authority approving the alterations.
 - Application should be submitted in duplicate through,
 - Item No. on the first page of pension application and the copy not filled in.
 - The first four items and item 14 on page 1 of the application in Form No. 26 C. S. R. should be written in block capitals. In Form No. 26 C. S. R. the pensioner's name and the place of payment only should be written in block capitals.
 - The period of service rendered by the applicant under different Government from time to time should be noted on page 1 of the Pension application.
 - Average emoluments:—Append a memorandum of calculation with reference to Articles 456-458, C. S. R.
 - As the duty allowance (special pay) in respect of the period of leave during the last three years of service has been taken to count for pension, a declaration from the Head of the department to the effect that the Government servant would have drawn the allowance had he remained on duty should be furnished. Vide G. O. No. 510 Finance (Pension) dated 1-6-1931.
 - Character and conduct:—State merely good, bad, or indifferent without remarks which should be made only when absolutely necessary to a right understanding of the case.
 - Please state for what reasons it has been found impossible to provide suitable employment for (Art. 427, C. S. R.)
 - Particulars of savings effected should be fully set forth as required under Article 429, C. S. R.
 - Delay:—Explain delay in submission of the application beyond a month.
- NOTE:—In every case in which an interval of more than 6 months occurs between the date of retirement of a subordinate and the issue of a pension order, the explanation of all officers or authorities responsible for the delay should be submitted for transmission to Government.
- Please furnish the applicant's last pay certificate showing that he has been paid up to . If any recovery is ordered to be made from the pension a letter of consent from the applicant agreeing to the recovery should be obtained and sent.
 - Please furnish the applicant's specimen signature in duplicate photo, finger and thumb impressions properly attested by a Gazetted Officer or other responsible officer.

15. A declaration from the applicant as prescribed in Government of India Finance Department, letter No. 210, C. S. R. 42, dated 18-10-1927 and G. O. No. 694 Finance (pension) dated 9-12-1926 and G. O. No. 927 Finance (pension) dated 23-9-1927, should be furnished.
16. The applicant's letter applying for permission to retire may kindly be forwarded to this office circular letter No. T.M. 3-10 of 1929, dated 9-10-1929.
17. History of service with date, month, and year of the various appointments, promotions, and cessations. For the purpose of adding to the service period a "month" is reckoned as 30 days, irrespective of the actual number of days in a month.
18. Separate statement of service in the history of service in respect of the various inferior and superior services.
19. Identification of the applicant specify a few conspicuous marks, not less than four, if possible.
20. Required information of the interruption of the services from _____ and whether or not it is proposed to claim it under Art. 422, C. S. R.
21. Nature of leave not been mentioned in the statement of service. Only privilege leave and the first four months of any period of leave on average pay should be included in the column "periods reckoned as service." The other kind of leave should be shown in the next column.
22. Information is required as to whether any portion of leave salary for leave granted to the applicant since 1st April 1921 was either debited or debitible, though not actually debited, to Governments. If so, the period for which it was so debited or debitible should be noted in his service book under proper signature—Vide this office circular letter No. T. M. 24-34, 3126, dated 20-2-1929.
23. As the application is for an invalid pension, it should be supported by a certificate in the form laid down in Art. 447 (g), C. S. R.
24. (a) As the applicant's service was inferior and as his age on the date of retirement was less than 60 years and invalid certificate in the form laid down in Art. 447 (a), C. S. R. is required in support of his incapacity for further service.
(b) A certificate is required from the head of the office as to the incapacity of the applicant.
25. Medical certificate should be granted only by Commissioned Medical Officers, District Medical Officers and Civil Surgeons and not by a Warrant Medical Officer or Sub-Assistant Surgeon.
26. As the applicant's age on the date of retirement was less than 60 years he is not entitled to a superannuation pension (Art. 488 C. S. R.).
27. As the applicant has not rendered 30 years qualifying service he is not entitled to a retiring pension (Art. 488 C. S. R.).
28. Sanction—If the sanctioning authority for the pension claimed could be admitted, should be recorded in gratuity the letter, forwarding the application on page 3 of the application with reference to Art. 915 C. S. R. to facilitate prompt issue of pension payment order.
29. Information is required as to whether the temporary post held from _____ to _____ eventually became permanent, if so, a copy of the order on the subject should be furnished. (Vide Art. 373, C. S. R.).
30. The nature of the original vacancy in consequence of which the applicant was appointed as _____ should be stated with apt. reference to Art. _____ C. S. R.
31. It should be stated whether the applicant was appointed in probationary vacancy reserved for him pending completion of probationary period and whether he drew probationary pay during the above period (Art. 373, C. S. R.).
32. Transfer from qualifying to non-qualifying service under _____ should be supported by a copy of the authority stating whether transfer was voluntary or made under consent authority—Art. 420 (e), C. S. R.
33. Required statement under Art. 915 C. S. R. for verification of the service.
34. Required statement that the officer is likely within _____ months to retire from the public service under Art. 477 C. S. R.
35. It should be stated whether _____ are the same of one and the same person.
36. Please note column 10 page 2 of the application form the applicant has been verified if any portion has been verified in the manner laid down in Art. 915 (a) IV C. S. R. the applicant's written statement should be submitted to any of the temporary employees available, should be furnished in support of the service.
37. The discrepancy in pay as shown in the _____ attachment for _____ and that shown in the statement received by _____ may be reconciled.
38. The date of applicant's birth as shown in _____ of establishment _____ and not _____ as known in page 1 of the application. Please reconcile the discrepancy.
39. Please state if any charges are pending against the applicant.
40. Please furnish a certificate of verification from _____ Military from the concerned _____ Military _____ Accounts for addition of service under Article _____ C. S. R.
41. Please reconcile the discrepancy noted below.

Department of Industries & Commerce.

From
The Director of Industries & Commerce,
Chepauk, Madras-5.



The Accountant General,
Madras.

Ref.No.1938 D/53 dated 8-3-55.

...

Sir,

Sub: Establishment - Karnataka Polytechnic, Mangalore-
Siva Rao Sri P.R., Demonstrator - Application for
extraordinary - pension or gratuity - Regarding -

Ref: This Office letter No.1938 C4/54 dated 15-3-1954.

Your Pension Report Memo P.V.No.E.F.P-16-2596-7
dated 5-4-1954 -.

...

I return herewith in original your Memo second cited
with the following particulars:-

- (42) The application for injury pension has since been obtained,
in duplicate and enclosed herewith.
- (43) The applicant's photo and specimen signatures are furnished
duly attested.
- (44) The Principal, Karnataka Polytechnic, Mangalore has reported
that no recoveries are due from the applicant.

(45) In the circumstances stated by you, I agree that the injury
in this case may be treated as having been caused as a result of
"risk of office" and classified under class B of Rule 8 in view
of the fact that the Medical Board has answered the questions
1(i) (a), (iii) and (iv) in the affirmative under Part A and also
added the remarks that "he is practically blind in the right eye with
possibility of Sympathetic Ophthalmia occurring in the left eye".

Hence, under rule 9(a) (i) an injury pension not exceeding Rs.18
but not less than Rs.9 p.m. is admissible in this case with effect
from the date of the injury i.e. 21-2-1952. However, having regard
to the provision of Rule 4 of the Extraordinary Pension Rules,
and in view of the negligence on the part of the applicant as
reported by the Principal in his Endorsement No.423-1953, I
consider that an injury pension of Rs.15/- p.m. may be sanctioned
against the maximum of Rs.18/- p.m. admissible under the rules.
This is the amount already recommended in my letter first cited.

Encs: 15 Sheets

ak-8-3.

For Director of Industries &
Commerce.

8/3

Form of application for injury pension or gratuity
under rule 13(4)

1. Name of applicant, : P.R. Shiva Rao
2. Father's name: : P.R. Srinivasa Rao.
3. Race, sect and caste. : Hindu, Brahman.
4. Residence, showing village) Padamanoor village, Udipi Taluk,
and District.) Malpe P.O. South Kanara Dt.
5. Present or last employment) Demonstrator, In Mechanical Engg.,
including name of establish-) section, Karnataka Polytechnic,
ment.) Mangalore
6. Date of beginning service: 1-9-1947
7. Length of service, including) 4 years, 4 months & 19 days (upto
interruptions of which) the date of injury.
superior. ✓
- Inferior.
- Non-qualifying and interruptions.
8. Classifications of injury. Loss of sight in the right eye.
9. Pay at the time of injury. Rs 90/- plus allowances.
10. Proposed pension or gratuity:
11. Date of injury : 21-2-1952.
12. Place of payment : Mangalore.
13. Special remarks if any: :
14. Date of applicant's birth) 15-4-1921.
by Christian era.)
15. Height. : ~~5' 5"~~ 5' 11½"
16. Marks:
Thumb and finger impression:
-  Thumb.  Forefinger.  Middlefinger.  Ringfinger.  Littlefinger.
17. Date on which the applicant) 21-2-1953.
applied for pension)

P.R. Shiva Rao.
Signature of applicant.

S. Krishnangay Rao
Signature of head of Office.
Rajendra prasad

Note : (In the case of European ladies, gazetted Officers,
Government title holders and other persons, who
may be specially exempted by the State Govt. thumb
and finger impression and particulars of birth and
personal marks are not required)

Form to be used by Medical Boards when reporting on injuries. ⁹

(Rule 13).

Proceedings of Medical Board.CONFIDENTIAL.

Proceedings of a Medical Board assembled by order of the Surgeon-General with the Government of Madras, Madras, for the purpose of examining and reporting on the present state of the injury sustained by Su. P. R. Siva Rao.

- (a) State briefly the circumstances under which the injury was sustained. *He sustained injury to his right eye while grinding tool on 21-2-52*
- (b) What is the Government servant's present condition? *Practically blind in right eye*
- (c) Is the Government Servant's present condition wholly due to the injury? *yes*
- If not, state to what other causes is it attributable. —
- (d) In the case of disease, from which date does it appear that the Government servant has been incapacitated? *from 21-2-52*

Part A. FIRST EXAMINATION.

The severity of the injury should be assessed in accordance with the following classification and details given in the remarks column below:-

- | 1. <u>In the injury</u> | YES. | NO. |
|--|-------------------------|-----------|
| (i) (a) the loss of an eye or a limb? | <u>yes</u> | — |
| (b) the loss of more than one eye or limb. | — | <u>no</u> |
| (ii) more severe than the loss of an eye or a limb? | — | <u>no</u> |
| (iii) equivalent to the loss of an eye or a limb? | <u>yes</u> | — |
| * (iv) very severe and likely to be permanent? | <u>yes</u> | — |
| (v) severe and likely to be permanent? | } <i>does not arise</i> | |
| (vi) very severe, or severe, but not likely to be permanent? | | |
| (vii) slight but likely to be permanent? | | |

2. For what period from the date of the injury

- (a) has the Government servant been unfit for duty? *yes. from 22-2-52*
- (b) is the Government servant likely to remain unfit for duty? *6-23-3-52*
He has rejoined duty on 24-3-52

REMARKS. Here the classification above may be amplified, if necessary, or details of additional injuries to the main injury may be given.

He is practically blind in right eye with possibility of Sympathetic Ophthalmia occurring in the left eye.

Part B. SECOND OR SUBSEQUENT EXAMINATIONS.

If the original degree of disability of the Government servant has changed, in which of the above categories should he now be placed?

REMARKS. In this space additional details may be given if necessary.

Station: *Madras*

Dated *27-7-53*

PRESIDENT. *Malayappan*

MEMBERS. *K. S. Aiy*

Instructions to be observed by the Medical Board preparing the report

- (1) The Medical Board before recording their opinion should invariably consult the proceedings of previous medical boards, if any, as also all previous medical documents connected with the Government servant brought before them for examination.
- (2) If the injuries be more than one they should be numbered and described separately; and, should it be considered that, for instance, though only "Severe" or "Slight" in themselves they represent together the equivalent of a single "very severe" injury, such an opinion may be expressed in the columns provided.
- (3) In answering the questions in the prescribed form the medical board will confine itself exclusively to the medical aspect of the case and will carefully discriminate between the Government servant's unsupported statements and the medical and documentary evidence available.
- (4) The Board will not express any opinion, either to the Government servant examined, or in their report, as to whether he is entitled to compensation, or as to the amount of it, nor will it inform the Government servant how the injury has been classified.

(1) 14

143

From

P. R. Shiva Rao,
Deputy Director,
Industrial Training Institute,
Mangalore.

4/11/52
Mh

The Joint Director of
Industrial Training,
Mangalore.

1938 C3/52

Through

The Principal,
Mangalore College,
Mangalore.
Through Proper channel

Subj:- Accident to the eye while on duty --
tion dated 1938.

On 21st February, 1952, the undersigned while
working at an Iron article got hurt in the
eye which led to an ulcer which led to the loss of sight.
It was attended to by the Ophthalmic Surgeon at the
Ophthalmic Institutes, Mangalore, but no improvement
was noticed. The undersigned was then sent to the
of Seel Eye Hospital, Madras, who advised that the
probability of restoring the lost sight. The undersigned
from eye specialists to the Government Ophthalmic Hospital
of no avail.

I was on medical leave from 22-2-52 to 1-3-52
on medical leave on ^{half} pay from 10-2-52 to 2-3-52.
I am sure you would appreciate and sympathise with the
medical condition of an employee and the fact that the
application of compensation towards the medical expenses
of the employee.

I am, Sir, enclosing in duplicate the
statistical statement in this regard for your
information?

Yours faithfully,
P. R. Shiva Rao,
21-2-1952.

Yours faithfully,
P. R. Shiva Rao
2/2

Submitted to the Joint Director of Industries and Commerce, Madras.

2. No such accident has ever been taken place and brought to my notice as stated by the applicant. The applicant first applied for a day's casual leave on 22-2-52 on the ground of some inflammation in the eye and subsequently asked for an extension of leave for 15 days for treatment on grounds of any injury caused to the eye while grinding a tool in the machinshop. If the accident took place in the workshop attached to this Institute it was the duty of the applicant to bring it to the notice of his immediate Superior Officer. No such intimation was ever been received from the Head of Section, Mechanical Engineering - viz his remarks enclosed. The applicant must not to have taken all precautionary measures while grinding since he could have conveniently made use of goggles from his section which he has failed to do so.

Further the applicant has resumed his duty after availing of his earned leave for 26 days from 22-2-52 to 18-3-52 and unearned leave on medical certificate on half pay for 5 days from 19-3-52 to 23-3-52, with a medical fitness certificate duly signed by an Ophthalmic Surgeon.

The applicant claims compensation after a prolonged period of nearly one year as such the permanent injury to the eye may be due to bad treatment he might have received to his injury or some other cause. Under these circumstances the Department is not in any way responsible for the injury nor bound to pay any compensation.

S. Krishnamangay Rao
Principal. 314

Remarks of the Head of Mechanical Engg. section, dated 30-3-53.

Submitted.

I am enclosing further details regarding Sri L. M. Chiv. Rao's application for compensation.

The injury was not recorded as a serious one as his original leave letter dated 22-2-52 states that he was having inflammation in the eye and requesting one day's casual leave. Only his subsequent leave letter dated 25-2-52 stated about the injury to the eye. He did not use the goggles while grinding and he was not treated at Govt. Hospital. Hence I think there was no room for sympathy to record sympathy but can be submitted for sympathetic consideration of the Joint Director of Industries and Commerce Madras.

15

Copy of Joint Director's memorandum No.1938-C4/53 dated 9th April 1953 addressed to the Principal, Karnataka Polytechnic, Mangalore.
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Sub:-Establishment-Karnataka Polytechnic-Mangalore-Sri.P.R.Siva Rao-Demonstrator-Accidence.-Injury to the eye-compensation-regarding.

1. amk
P 13 amk
Ref:-Principal's endt.N.Dis.526-A/53 dated 3-4-53 on the application of Sri.P.R.Siva Rao, dated 21-2-53.
=====

14 amk
In his endt.cited the Principal has stated that no accident of the kind reported by the Demonstrator in his petition dated 21-2-53 had ever happened. But from Principal's letter A.332/52 dated 1-3-52 ~~appears that~~ it appears that he was aware of the accident though the leave application of the Demonstrator. Further in the copy of Proceedings of the Joint Director 1039-C4/52 dated 10-3-52 addressed to the Principal, he was told to take steps to prevent recurrence of such accidents in future.If the accident had not occurred in the workshops, he should have informed the Joint Director so atleast after the receipt of the Proceedings referred to. The Principal is therefore requested to clarify the whole position quickly.

/True copy/

Krn.18-3. *Amk*

Signature
Superintendent.

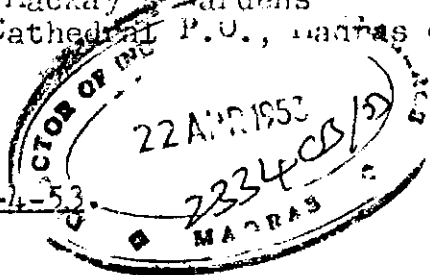
Department of Industries & Commerce

④ 17

From
Sri B. Krishnaswamy, Rao,
B.Sc., B.Sc. (Engg.)
(Elec. & Mech.) A.M.I.E.,
Principal, Karnataka
Polytechnic, Bangalore 1.

To
The Joint Director of Industries
and Commerce,
Blackay's Gardens,
Cathedral P.O., Madras 6.

No. 590-A/53 dated 19-4-53.



Sir,

Sub: Establishment - Karnataka Polytechnic Bangalore -
Sri P.R. Shiva Rao - Demonstrator - Accident - Injury
to the eye - Compensation - Reg.
Ref: Joint Director's memo No. 1938-04/53 dated 9-4-53.

*pl's
p/s cf
p/s anle*

With reference to the memo cited I submit that the Demonstrator applied for a day's leave stating that he had some inflammation in the eye and wrote for extension of leave stating that he had sustained injury to his eye while grinding a tool in the machine shop without mentioning whether it is in the machine shop of the Polytechnic or elsewhere. If the accident had happened in the workshop the Demonstrator ought to have brought it to the notice of his superiors and also should have stated in the first leave application which he has not done. Also this office has not reported to the Factory Inspector any such accident as having ever occurred here. It was presumed that Joint Director's remarks in sanctioning the leave was for general guidance while working either in the machinshop here or elsewhere. I have already fully explained the matter in my previous letter as such

P.P.O.

18

~~(S)~~

--2--

this Institute cannot take any responsibility for the actions of the demonstrators.

S. Krishnamoorthy
20/4'

19

Copy of Joint Director's memorandum No.1938-CB4/53 dated 22-4-1952 addressed to Sri P.Siva Rao, Demonstrator, Karnataka Polytechnic, Mangalore, through the Principal, Karnataka Polytechnic, Mangalore.

===

Sub:-Karnataka Polytechnic-Mangalore-Demonstrator-Sri.P.R.Siva Rao-accident -Injury to an eye-compensation-application for

=====

P 13 amk

In his petition dated 21-2-1953 Sri P.R.Siva Rao has represented that on 21-2-1952, while grinding a tool in the machine shop, an iron particle got lodged in his right eye resulting in an ulcer and subsequent loss of sight. If the accident happened in the Polytechnic workshop he should have reported it immediately to the Section Head or to the Principal. He should clearly say why he did not bring the accident to notice immediately it occurred and furnishing the names of witnesses at the site and time of the accident. The reply to this reference should be submitted through the Principal.

/True copy/

P 17-18 amk

Copy to the Principal, Karnataka Polytechnic, Mangalore with reference to his letter No.590-A/53 dated 19-4-53. On receipt of the Demonstrators reply to the reference, the Principal is requested to hold an enquiry on the occurrence of the accident on the day mentioned if he had not already done so, and submit without delay a detailed report in the matter.

/True copy/

Krn.18-3.

Ver

Superintendent

20

-2-

2. Sri. K. Kumaran,
Machinist, Karnatak Polytechnic,
Mangalore.

May I sir, again claim your sympathetic consideration in view
of the gravity of the injury and the handicap it has caused me?

/True copy/

Krn.18-2.

N/83

81313
29/4

From
P.R. Shiva Rao,
Demonstrator in Mech. Engrg.,
Karnataka Polytechnic,
MADURAI.

To
The Joint Director of Industries and Commerce,
"Blackay's Gardens", Mount Road,
MADRAS 6.

Through
The Principal,
Karnataka Polytechnic,
MADURAI.

Sir,

Sub: Accident - Injury to an eye - Compensation - Application
for.

Ref: Memorandum of the Joint Director of Industries and Commerce
No.1938 CB4/53. dated 22-4-1953.

The accident did occur in the Polytechnic Workshop on 21-2-52
at about 11 A.M. The fact was immediately reported to the Head of
the Mechanical Engineering and with his permission I, along with
Sri. V. Sadashiva Rao, left in the latter's conveyance for the
Govt. Menlock Hospital. As the eye specialist was not available
in the hospital at that time, I had myself attended to by the
Ophthalmic Surgeon attached to the Father Muller's Charitable Insti-
tutes, Mankannady, Bangalore.

In my leave letter dated 23-2-52, I have clearly stated about the
accident. Since I had also appraised the Head of the Mechanical Engi-
neering Section of the accident, I felt a separate report was unneces-

The accident which happened in the Polytechnic Workshop was
common knowledge of everyone in the institute in general and those
in the workshops in particular. At the time and place of occurrence
of the accident the following persons, besides others, were present
and I would like to quote them as substantiative witnesses thereto:

1. Sri V. Sadashiva Rao,
Demonstrator in Mechanical Engineering,
Karnataka Polytechnic,
MADURAI.
2. Sri A. Ramaran,
Mechanic,
Karnataka Polytechnic,
MADURAI.

82

(11)

May I, Sir, again ask you to consider
in view of the gravity of the situation
caused me?

Received
29th April '53.

A. J. L. M. S.

29/4/53

(8)

23

CL

From
The Principal,
Saraswathi Polytechnic,
Bangalore 1.

To
Joint Director, Industries
and Commerce,
Bathurst Road, Bangalore.

AND COMMERCE

No.A-500.53 dated 1-5-53.

259/CB/53

Sir,

Sub: Saraswathi Polytechnic Bangalore - Demonstrator - Sri
S. S. Siva Rao - accident - injury to an eye -
compensation - Application for - etc.

Ref: Joint Director's ltr. in memo No.1032-53 dated
21-4-53 addressed to Sri S. S. Siva Rao, Demonstrator.

In reference to the ltr. cited above, I am submitting herewith
the copy of reply in original received from Sri S. S. Siva Rao,
Demonstrator to the above reference together with a copy of report
on the enquiry conducted on the occurrence of the accident.

S. Krishnanarayana
Principal. 11/5/53

S

Enquiry conducted on the compensation of Sri S. S. Siva Rao,
Demonstrator, dated 20-4-53 in pursuance of the Joint Director's memo
No.1032-53 dated 22-4-53.

Enclosed: Retaining the joint referral to Sri S. S. Siva Rao
and Sri S. S. Siva Rao to the Joint Director, Industries and Commerce,
Bangalore, to the Joint Director, Industries and Commerce, Bangalore, after the

✓ 183.
251
Copy of memorandum No.1928-C4/52 dated 28th May 1952 of the Joint Director of Industries and Commerce, Madras addressed to the Principal Karnataka Polytechnic, Mangalore.

Sub:-Karnataka Polytechnic, Mangalore-Demonstrator-Sri.P.R.Siva Rao-
accident -Injury -gratuity-regarding.

Ref:-Principal's letter A.590/52 dated 1-5-52. (25 mile)

====
The Principal is requested to submit an application for injury Gratuity or Pension in Form A prescribed in schedule IV to the appendix I of the Madras Pension Code. He is also requested to submit by return of post the Fit-ness certificate reported to have been furnished by the Demonstrator in the Principal's letter A-222/52 dated 27-2-52.

/True copy/

Krn.18-2.
2/183

W. A. Srinivasan
Superintendent

By Regd. Post.

DEPT. OF INDUSTRIES & COMMERCE
GOVT. OF MADRAS

From

The Principal,
Karnataka Polytechnic,
Post Box No.120,
Mangalore. 1.

The Joint Director of
Industries & Commerce,
Madras. 6.

No.A-590/53 Dt: 2-6-1953..

Sir,

Sub:- Karnataka Polytechnic, Mangalore --
Demonstrator -- Sri. P. R. Shiva Rao --
Accident -- Injury -- Regarding.
Ref:- Joint Director's Memo No.1932-C4/53 Dt.
28-5-'53.

With reference to the memo cited, I am submitting here-
with the fitness certificate produced by Sri. P. R. Shiva Rao,
Demonstrator called for therein.

The application for injury Gratuity Pension in Form A
prescribed in schedule IV to the Appendix I of the Madras
Financial Code duly filled in, will be submitted to the Joint
Director during the first week of July, '53 as the Demonstra-
tor is availing the summer vacation in full.

Encl: one
J.W.2/6

for-PRINCIPAL

291

Copy of letter no 1938-C4/53 dated 10.6.53
of the Director of Industries & Commerce Madras, addressed
to the Director of Medical Services - Mount Road, Madras

SUB: Education - Industrial - Karnataka
Polytechnic Mangalore - Demonstrator - Siva Rao
Sri - P.R. Accident - Injury to an eye -
Compensation - Claim - Medical Examination

Sri P.R. Siva Rao, Demonstrator -
Karnataka Polytechnic Mangalore, is reported
to have sustained injury to one of his eyes
while grinding a tool on 21.2.52. He was
on earned leave for 26 days from 20.2.52
to 18.3.52 and unearned leave on H.C. on
half pay for 5 days from 19.3.52 to 23.3.52
and rejoined duty on 24.3.52. Medical
Certificates dated 25.2.52, 8.3.52, and 16.3.52
in support of his ailment and fitness
produced for rejoining duty dated 24.3.52
are enclosed.

P. 13 ante
Sri P.R. Siva Rao has in his letter
dated 21.2.52 applied for injury gratuity
stating that an iron particle lodged
in his right eye resulting in an ulcer
leading to loss of sight. To the claim for
injury gratuity has to be submitted
to Government for consideration, I request
you kindly to arrange for a medical
board to be constituted either at Mangalore
preferably or at Madras to examine
the Demonstrator and report on the extent
of injury sustained and whether the loss of
sight is due to the accident referred to

Yours faithfully

Sd. P. Govind Menon
For Director of Industries
& Commerce Madras

VR Natarajan Tone Copy / -
Superintendent.

Office of the Accountant General,
82-C Mount Road, Madras,
Dated the 19th April 1955.

P.V.No.E.F.P.16-2596/53-54 | 38

SUB: GRANT OF INJURY PENSION to Sri P.R. Siva Rao,
Demonstrator, Karnataka Polytechnic.

REF: 1. Letter No.1938-C.74/53 dt. 15-3-'54 from the
Director of Industries & Commerce, Madras.

2. This office Memo P.V.No.EFP.16.2596-7 dt.
15-4-'54 to the Director of Industries and
Commerce, Madras.

3. Letter Ref.No.1938.D/53 dt. 8-3-'55 from the
Director of Industries & Commerce, Madras.

Forwarded.

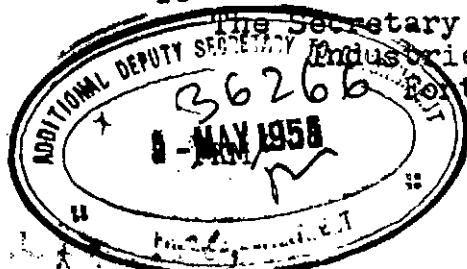
2. If Government consider that the injury sustained
by Sri P.R. Siva Rao was due to "risk of office" as recommended
by the Director of Industries and Commerce, falling under Clause
B of Rule 8 of the Extraordinary Pension Rules, Madras, an injury
pension not exceeding Rs.18/- (Rupees eighteen only) per mensem
will be admissible to him under Rule 9 (2) (i) ibid. Attention
of Government is, however, invited to the recommendation of the
Director of Industries and Commerce for the grant of a pension of
Rs.15/- per mensem only. Reference is also invited to Rule 4 of
the Extra-ordinary pension rules.

3. The pension is debitable to the Government of the
Composite State of Madras under the head "55 Superannuation Allowance
and Pensions - Compassionate allowances - State voted before
1-10-'53" and will commence from 21-2-1952.

T.K. Venkatachalam
(T.K. Venkatachalam.)
Assistant Accounts Officer.

To

The Secretary to Government,
Industries, Labour and Co-operation Department,
Fort St. George, Madras.



SLC(E) Dept.

Finance u.o.

Secy. 39581 E2/55-16/3/55
45-55

4/5/55

37

Finance (Pen) Deptt.

LETTER NO. 36266 P. DATED 7.5.55

To

The Secy.,
M.P.S.C.,
Madras. (with encl.) *entire CF*
may be

Sir,

Sub:-PENSION - Extraordinary -
Injury pension - Sri T.R.
Siva Rao, Demonstrator,
Karnataka Polytechnic,
Mangalore - Claim.

With reference to Art.320(3)(e)

of the Constitution of India, I am
directed to address the Commission
on the above subject and to request
that the Commission will be so good
as to advise the Govt. on the claim for
injury gratuity in this case.

2. The connected papers are
endorsed for reference and return.

Y.F.

DR
6.5.55
20
6/5/55

10
7/5

NOTE: The draft letter above is for
approval.

DR
6.5.55
20
6/5/55

10
7/5

CERTIFICATE BRANCH
(with V. S.)

Despatched by *10.1.1.1.*
10.1.1.1.
10.1.1.1.

Despatcher's *10.1.1.1.*

cf

From
Sri T.D. Aiyasawmy,
Secretary, Madras Public
Service Commission,
Madras-2.



12/11
To
The Secretary to the Government of
Madras, Finance Department,
Madras-9.

No.1687-C/55-1, dated 3.6.55.

44472
JUN 1955
CH. DEPT.
Pension - Extraordinary - Injury Pension - Sri T.R.
Siva Rao, Demonstrator, Karnataka Polytechnic, Mangalore -
Your department letter No.36266-Pen., dated 7.5.55.

I am to say that the Commission supports the recommendation of the Director of Industries and Commerce that an award under Rule 9(2)(i) of the Extraordinary Pension Rules should be made to Sri T.R. Siva Rao, Demonstrator, Karnataka Polytechnic, Mangalore. It recommends that under that rule Sri Siva Rao be awarded with effect from 21.2.55, the date of the injury, a monthly pension of Rs.15/- (Rupees fifteen) only.

2. The enclosures to the letter cited are returned.

Encl: One file of papers.
(Pages 1 - 32).
Av.3.6.55.

Yours faithfully,

T. D. Aiyasawmy
Secretary.

Finance (Pen) Deptt.

PENSION - Injury - ~~Sri~~ Siva Rao, Sri P.R.,
Demonstrator, Karnataka Polytechnic, Mangalore
Sanctioned.

Read:-From the D.I.&C. No.1938-C4/52
d.15-3-54 and 8-3-55.

From the A.G. PV.E.F.P.16-2596/53-54/
38 d.19-4-55.

From the M.P.S.C. No.1687-C/55-1
d.2-6-55.

G.O.MS.NO.1203

DATED 4th July 53

Under Rule 9(2)(1) of the Extraordinary
Pension Rules, Madras, the Governor of
Madras sanctions the grant of a pension
of Rs.15/- (Rupees fifteen only) per mensem
to Sri P.R. Siva Rao, Demonstrator, Karnataka
Polytechnic, Mangalore who sustained
an injury in his right eye while on duty
as a result of which the eye became
practically blind.

2. The pension will commence from 21-2-52
and is payable at MANGALORE.

3. The pension will be debitable to
"55. Superannuation Allowances and Pensions
Compassionate allowances - State - Voted -
Before 1-10-1953."

To the A.G., Madras.
To the D.I.&C., Madras. (with
Copy to the M.P.S.C. (with c.l.)
Copy to I.L.C.

DR
22/6/53

24/6

Finance (Pen) Deptt.

Sub:-PENSION - Injury - Sri P.R. Siva Rao,
Demonstrator, Karnataka Polytechnic,
Mangalore.

Ref:-From the Director of Industries and Commerce
No.1938-C4/53 dated 15-3-54. and 8.3.54
From the A.G. PV.E.F.P.16-2596/53-54/38
dated 19-4-55.
From the M.P.S.C. No.1687-C/55-1 dated 3-6-55.

The case relates to the proposal to sanction an injury pension to Sri P.R. Siva Rao, Demonstrator, Karnataka Polytechnic, Mangalore who sustained an injury in his right eye while grinding a tool in the workshop of the Polytechnic on 21-2-1952 as a result of which the eye became practically blind. The Medical Board which examined him has certified that he is practically blind in his right eye with possibility of sympathetic opthalmia occurring in the left eye. The Director of Industries and Commerce has treated the case as one falling under 'risk of office' and classifying the injury under Class B of Rule 8 has recommended an injury pension of Rs.15/- p.m. Although a maximum pension of Rs.18/- p.m. is admissible under this rule, taking into consideration the negligence of the officer in not using goggles while grinding the tool, the Director of Industries and Commerce has considered a pension of Rs.15/- will be sufficient. The Accountant General has certified that an injury pension of Rs.18/- p.m. is admissible under Rule 9(2)(i) of the Extraordinary Pension Rules.

The M.P.S.C. which was consulted in the matter with reference to Art.320 (3)(e) of the Constitution of India has also recommended the grant of an injury pension of Rs.15/- p.m. with effect from 21-2-1952.

p.t.o.

pp1-20-F
mrs 6-f
p314F
p 352F

p52F

mrs-114F

p52F

p20F

p314F

p320F

p 352F

The recommendation of the Director of Industries and Commerce which has been supported by the Commission may be accepted.

I.L.C. may see before circulation.

DR
13.11.5
13/6/55
AS

13/6

Fin 2000 44472 Pm
13/6/55
12c

SLC (E) Deptt. 14-6-55

The notes of Fin from p.1 above may be perused. A decision may be agreed to in this Deptt. After orders are passed the file may be returned to Fin.

8/6
14.6.55
14/6/55

15/6/55

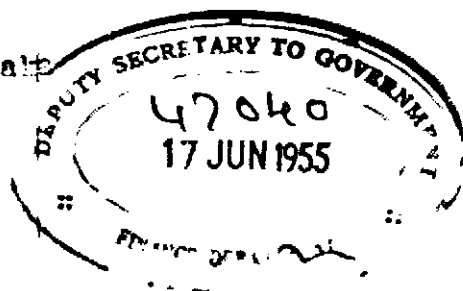
16.6.55

Finance (Pen) Deptt.

The notes on pp.1-2 above may be perused.

Fin
SLC no. 55902 E 14.6.55

A draft order which provides for the grant of an injury pension of Rs.15/- p.m. with effect from 21-2-52 to Sri T.R. Siva Rao, Demonstrator, Yarnatale Polytechnic, Mangalore who sustained an injury in his right eye while on duty on 21-2-52 as a result of which the eye ~~xxxx~~ became practically blind. ^{is submitted} The case may be circulated to M.(F.&E.) and M.(A).



DR
23/6
23/6/55

May be approved.

M. P. Bantham
24.6.55

seen
10
4/7

M. P. Bantham
25.6.55
N (F&E)

M. P. Bantham
30.6.55